



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

MICHAEL A. CARDOZO  
Corporation Counsel

CARYN ROSENCRANTZ  
Phone: (212) 788-1276  
Fax: (212) 788-9776  
croscncr@law.nyc.gov

**MEMO ENDORSED**

May 12, 2008

**BY HAND DELIVERY**

Honorable Denise L. Cote  
United States District Judge  
Southern District of New York  
500 Pearl St., Room 1040  
New York, New York 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 5/13/08

Re: Catherine Bracho v. City of New York et al., 08-CV-1476 (DLC) (JCF)

Your Honor:

As the Assistant Corporation Counsel assigned to the defense of the above-referenced civil rights action, I write to respectfully request that defendant City of New York's time to answer or otherwise respond to the complaint in this action be enlarged sixty (60) days from May 12, 2008 to and including July 11, 2008.<sup>1</sup> Plaintiff's counsel consents to this second request for an enlargement of time.

As background, the complaint alleges, *inter alia*, that on December 26, 2006, New York City Police Department officer "Jane Lee" and several other unidentified police officers falsely arrested and subsequently maliciously prosecuted plaintiff in violation of her state and federal civil rights.<sup>2</sup> This office is expected to file a response on behalf of the City of

<sup>1</sup> This case has been assigned to Assistant Corporation Counsel Katherine E. Smith, who is presently awaiting admission to the bar and is handling this matter under supervision. Ms. Smith may be reached directly at (212) 513-0462.

<sup>2</sup> In addition to the City of New York, plaintiff names "Police Officer Jane Lee Tax Reg. No. 921491" and "Several unidentified Police Officers assigned to the 43rd precinct" as defendants. Upon information and belief, the officers have not been served with a copy of the summons and complaint in this action. Without making any representations on their behalf, assuming service was properly effected, it is

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New York by May 12, 2008. However, plaintiff's counsel only just provided this office with an executed authorization for the release of plaintiff's arrest and prosecution records pursuant to N.Y.C.P.L. §160.50 on Tuesday, May 6, 2008. Defendant requires this enlargement so that this office may now obtain the underlying documentation from the Criminal Court, the District Attorney's Office and the New York City Police Department, properly investigate the allegations of the complaint and fulfill its obligations under Rule 11 of the Federal Rules of Civil Procedure.

Accordingly, for the reasons set forth herein, defendant City of New York respectfully requests that its time to answer or otherwise respond to the complaint in this action be enlarged sixty (60) days from May 12, 2008 to and including July 11, 2008.

I thank Your Honor for considering the within request.

Respectfully submitted,



Caryn Rosencrantz (CR 3477)  
Assistant Corporation Counsel  
Special Federal Litigation Division

*Granted.  
J. Denise C. [unclear]  
May 13, 2008*

cc: Tracie A. Sundack, Esq.  
19 Court Street, 3<sup>rd</sup> floor  
White Plains, New York 10601  
Fax: 914-946-9585  
(By Facsimile)

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respectfully requested that their time to respond to the complaint be similarly enlarged so that their defenses are not jeopardized while representational decisions are being decided.

ECF NOTICE TO BE SENT TO:

Tracie Ann Sundack  
Tracie A. Sundack & Associates, LLC

COPIES MAILED TO:

Caryn Rosencrantz  
The City of New York  
Law Department  
100 Church Street  
New York, NY 10007